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A FAMILIAR EPISTLE

FROM

HIS EXCELLENCY

The LORD LIEUTENANT of *Orkney*,

TO

HIS MIGHTINESS

The PROLOCUTOR of the *Athelnſtonford* Congregation in *Eaſt Lothian*.

BRITISH MUSEUM

A FAMILIAR EPISTLE, &c.

MR THOMAS,

DO you remember that from the year 1752 that you came firſt to Orkney, until the year 1764, you and I lived in the cloſeſt correſpondence, intimacy and friendſhip? Do you remember, that the cauſe of our differing at laſt was, your appearing openly as an advocate for two infamous men *your brethren*, Mr William Niſbet, and Mr Thomas Lyell, the firſt accuſed of continued, notour and obſtinate adultery, and the latter of fornication, drunkenneſs, curſing, ſwearing, and other groſs enormities? Do you remember, that I have letters under your hand, wherein your conſciouſneſs of your brethrens guilt plainly appears; and that I, repeated times, verbally and in writing, adviſed you, not to expoſe and diſgrace yourſelf by countenancing and patronizing theſe miſerable culprits; telling you, at the ſame time, that it was impoſſible to ſave either the one or the other from depoſition? Do you remember, that the return I had from you to this my friendly admonition, was, your writing me,

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in a high tone, "That Willie Niſbet and Tom "Lyell would be defended and protected, "not by a FEEBLE and UNPERFORMING "hand. That you acted upon principles, "---needed not be apprehenſive of conſe- "quences: And that I, as Maitland of Lied- "ington ſaid to John Knox, was but a *Dryt- "ing Prophet?*" Do you remember, that all this notwithſtanding, Willie Niſbet was by the Court of Juſticiary at Inverneſs, baniſhed for life, and Tom Lyell depoſed by the general aſſembly? Yes, Tom, your memory I know to be good; you perfectly well remember all theſe particulars; and you remember alſo, that on account of your conduct in the caſe of your chief favourite Willie, you loſt character with the judges at Inverneſs, which poſſibly would not have happened, had you followed my advice. What the meikle devil then, tempted thee, Tom, in the petition which thou, in thy great wiſdom, fabricated with ſo little truth, and ſo little colour or varniſh, for Mr James Aliſon, and gave in to the laſt general aſſembly, to fall ſo very foul of thy old friend? Was it for the ſake of Mr James Aliſon, whom I have often heard thee call a good-for-nothing blockhead, that thou held me forth in that petition as a mercileſs arbitrary tyrant, the over-bearing Lord Lieutenant of Orkney, whoſe ſovereign power, thou, thy mighty ſelf, *was the firſt clergyman who dared to oppoſe?* No, Tom, the matter does

does not lie there; it ſtill ſticks upon thy ſtomach, that I did not put the ſame value on thy knowledge or underſtanding, that thou put on it thyſelf. I told thee often, and without reſerve, in the courſe of our written correſpondence, rather diſcordance, with reſpect to thy friends, Willie and Tom, that even thy ſtrong, thy mighty and *performing hand* could not ſave them. I told thee thou would never arrive at the dictatorſhip of Orkney, which thou ſo idly ſtruggled for: And I told thee, that although thou had book learning above thy neighbours, yet thou waſt not bleſſed with common prudence or mother-wit. It was for this reaſon, Tom; it was becauſe I preſumed to be thus free with thee, and ſullied thy mightineſs, and not to ſerve Jacob Aliſon, or to relieve the poor oppreſſed clergy of Orkney, that thou ſpouted out thy vengeance againſt me, in thy infamous petition or complaint to the aſſembly. Thy pride, thy vanity and ſelf-ſufficiency, Tom, (although a ſtranger at firſt ſight, would take thee for a plain good-natured ſwath country farmer or plowman) are inſufferable; thou can bear no controul; thou art in thyſelf, and *ipſo judice*, doubtleſsly a very great man. Doſt thou remember, Tom, that in my friendly long letter to thee of the 19th of January, 1765, I ſet thy follies and miſcarriages in order before thee, and gave thee my beſt counſels? Doſt thou remember, that I there *dryted* a prophe-

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cy in the following words: "You are, Sir, "to the eternal diſgrace of your own mighty "ſelf, and of your ſacred profeſſion, fighting "deſperately in a very ugly cauſe, with very "dirty and poiſonous weapons, which, ſoon-"er or later, will be turned againſt, and "mortally wound their maſter?" And doſt thou remember, Tom, that, in thy anſwer to that letter, thou avoided entering into the merits of the cauſe, contenting thyſelf with a general egotic declaration, "That nothing "ſhould ever induce thee to deſert the cauſe "of moderation, in which thou had been en-"gaged from thy earlieſt youth, or to aban-"don thy friend in his adverſity: Bidding "me do as I pleaſed, only, not to be in a "paſſion, when thou, my ſuperior in UN-"DERSTANDING and VIRTUE offered me "thy advice?" And doſt thou remember, Tom, that notwithſtanding of my *ſovereign power*, I gave thee no worſe-natured reply to this thy moſt ſtately anſwer, than, that I allowed thee to be my ſuperior in *underſtanding*, but was afraid, thy *virtue* was oftener in thy lips, than in thy heart or practice? quoting to thee, at the ſame time, a line from thy friend Roſſeau, "Replete with ſci-"ence, but depriv'd of ſenſe." Doſt thou alſo remember, Tom, that in my reply, I argued the matter with thee the beſt I could? I wrote thee, *inter alia*, as follows, *viz.* "I "do acknowledge, that to deſert a friend in

"diſtreſs,

" diſtreſs, is unmanly, and betokens a bad " heart; but there is ſcarce any general rule " which will not admit of an exception. If " my friend is in adverſity, although by a " wilful error and miſconduct in himſelf, " I will nevertheleſs be ready to pity and " ſupport him by my advice and other- " wiſe, provided he is ſenſible of his error, " and reſolves to reform: But, if in ſpite of " my counſel and admonition, he ſhall con- " tinue to tread in the old path, to his own " hurt, and to the diſgrace of his connections " and relations, I will abandon, I ſhould be " a villain did I not abandon and leave him " to ſtand or fall by himſelf, or rather to be " cured of his wickedneſs by the hand of " public juſtice." And doſt thou remember, Tom, how I concluded my reply with great *ſovereignty?* it was in the following words: " The time was, when I valued myſelf upon " my acquaintane with Mr Thomas Hep- " burn, and the inſtruction I had from him, " but he ſeems now-a-days, notwithſtand- " ing of his *ſuperior underſtanding and virtue*, " to ſtand in need of inſtruction from his " humble ſervant, A. R." Thus, Tom, I wrote thee, and well, too well doſt thou re- member what I wrote, and what I ſaid to thee. I would not ſooth thy vanity, I would not be governed by thy ſuperior knowledge or un- derſtanding, nor would I admit that thou waſt a man ſo very virtuous as thou trumpet-

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ed thyſelf to be, and therefore art thou now tranſacting hell for revenge. But, Tom, thy counſellor has deceived thee. He has led thee to repreſent me to the general aſſembly as a malignant, a very dangerous fellow, *educated in another communion* than that of the church of Scotland. The d----l has outwitted thee fairly, Tom; a diſcerning aſſembly could never be influenced to my prejudice, on account of my early education; but, on the contrary, from your throwing that paultry fanatical objection (far by the by art thou from being a fanatic or puritan) in my teeth, the aſſembly would be ready to ſuſpect that the plea was not true ſterling which needed a ſupport of that kind. My having been educated, Tom, in another communion is not in the cauſe: Nor can it from thence be made appear, without the logic and ſophiſtry of a Hepburn, that I deal unjuſtly by, or muſt naturally from my education be an oppreſſor of the Preſbyterian clergy. Thou muſt prove the fact, Tom; and if thou cannot prove it, thy obtruding my having been educated in another communion, ſerves no other purpoſe than to ſhow thou acteſt not the part of a man of ſenſe, or of a gentleman, far leſs of a Chriſtian paſtor. Tom, when the duties of thy office, to which *I can witneſs thou haſt always very religiouſly attended*, give thee leiſure, I would adviſe thee to employ thyſelf in magapicos and conundrums, (in theſe thou art an adept)

but

but not to meddle in higher matters as a ſolicitor, agent or advocate. Thou haſt not ſufficiency of judgment or of ------ to conduct a proceſs properly before a court either civil or eccleſiaſtic. Vain unthinking mortal! Doſt thou reflect, that although I have been educated, and although I had ſtill continued in another communion, a communion perhaps not *quite* ſo orthodox as that of the church of Scotland, I may nevertheleſs be an honeſt man, free of a mercileſs arbitrary ſpirit? Doſt thou, fool, think to ſpirit up the aſſembly againſt me by that bugbear? Doſt thou reflect that I at preſent act, and for thirty years paſt have acted, as a member or elder in the church of Scotland; and that although in that capacity I could do but little ſervice to the church, yet I have all along behaved as became the ſtation, and particularly acted a more Chriſtian, honourable and *Presbyterian* part, in contributing my aſſiſtance to get thy two infamous goſſips, Nisbet and Lyell, diſmembered from the Church of Scotland, than thou, Tom, thyſelf haſt, with all thy orthodoxy, to thy eternal ſhame acted, in patronizing and endeavouring to ſcreen and get theſe two monſters of iniquity acquitted, by very foul and unjuſtifiable means. Tom, if thou wanteſt an explanation upon this point, I am ready to give it thee; but hardy and ſtrong-headed as thou art, thou dareſt not inſiſt upon it. Doſt thou, poor man, reflect, how often I have in the

courſe of our intimacy together, in the true ſpirit of friendſhip and good-will towards thee, challenged thy conduct and behaviour as very fooliſh, irregular and unminiſterial; admoniſhing thee particularly, at leaſt to obſerve outward decency and decorum? and doſt thou reflect, that as often as I ſo adviſed thee, thou laughed at decency and decorum, giving it the name of hypocriſy and prieſtiſhneſs? Tom, Tom, if thou liveſt but a few years longer, and comeſt to a change of manners, thou wilt be convinced to thy ſorrow that I gave thee wholſome advice; that thou haſt abuſed thy real friend; and that I have not been, as thou in the height of thy phrenzy called me, a *drying prophet*. Thou haſt already ſeen my prophecies ſo far fulfilled, in the inſtances of thy friends Willie Nisbet and Tom Lyell, whom thy vanity and ſelf-conceit taught thee not only to think, but magiſterially to affirm, thou wouldſt protect and defend, in ſpite of the power, the influence and inclinations of a whole country, where the guilt of thy beloved brethren was ſo flagrant and notorious, for years before they were brought to juſtice, that their ignorant pariſhoners were tempted to think, that fornication and adultery were only play-things, in which they might indulge themſelves at pleaſure, with the ſame freedom and impunity that their goſpel preachers did. Flagrant and notorious indeed muſt the ſins of thy dear brethren have

have been, when a poor Orkney fiſherman took the liberty to ſay, " That he had read in the " Bible that the devils had entered into the " ſwine, and now they had come out of the " ſwine, and gone into the miniſters."

Now, Tom, although thou mighteſt have had ſome pretence to fall foul of me, who was a malignant educated in *another communion*, and who had oppoſed thee in defending thy friends in their adverſity, how yet, in the meikle main horned devil's name, cameſt thou in thy petition for Jamie Aliſon ſo ſhamefully and daringly to inſult, and endeavour to blot the character of the ſheriff-depute of Orkney, who thou couldſt not ſay had ever given thee the ſmalleſt offence, or hurt thy pride and vanity as I had done? Doſt thou know, Tom, that there is a ſtanding law of the land, appointing, " That all judges whatever do " true and equal juſtice, without any partial " counſel, rewards or buds, under the pain " of infamy; and that if any murmur them " falſely, he ſhall be puniſhed in ſemblable " manner?" This, Tom, is the law; and doſt thou think that thou, as the deviſer and fabricator, and thy tool Aliſon, as the ſubſcriber of thy ſcandalous and infamous petition or libel, are hooked by this law? I'm much miſtaken if ye are not. Thou haſt ſaid, Tom, in plain Scots, *that the ſheriff having taſted the ſweets of a low fiar was tempted to pervert juſtice.*

Well,

Well, Tom, what doſt thou think of this diſſection ſo far as it has gone? Doſt thou ſweat? No, not thou. Thou wilt do whatever ſeemeth right in thine own eyes. *Fiat juſtitia*, ſayeſt thou, *ruat mundus*. Thou art not a bit afraid. *Juſtum et tenacem propoſiti virum, non civium ardor prava jubentium, non vultus inſtantis tyranni mente quatit ſolida.* Thou art a ſteady perſevering philoſopher. Thou, Tom, acteſt upon principles, *ſhite* upon conſequences. Nothing will ever induce thee to divert the cauſe of moderation, or to abandon thy friend in his adverſity, be he ever ſo great, *and to thine own knowledge* ever ſo obſtinate and incorrigible a ſinner. *Humanum eſt errare:* Thou knoweſt thine own frailties. Thou art all compaſſion and tenderneſs. To ſave thy friend *thou wilt draw wind from every quarter*, thou wilt ſpare no characters in ſo good a cauſe; and thy ſucceſs muſt be certain, for thou haſt a hand, *ſtrong and mighty, not feeble and unperforming.* Doſt thou now ſweat, Tom? No, not yet. But thou art in wrath, which commonly produces a clammyneſs. That is a good beginning, Tom; and by the time I have done with thee, thou ſhalt have a thorough SUDORATION, ſ——l and carcaſe, if they are not both made of braſs, which every body knows is not eaſily ſweated.

Thy Petition, Tom, for Jacob Aliſon, thou knoweſt was deviſed and wrote out by thee

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at thy manſe of Birſay in the month of April 1771, in conclave with Jacob himſelf. Thou remembereſt that Jacob was in raptures with the elegance of thy ſtile, and the force and poignancy of thy arguments. Thou convinced him that thy petition would procure him twelve pounds Scots for each meil of malt that the Lord Lieutenant had with-held from him in the year 1765, with an indemnification of the expence he had been put to by that mercileſs tyrant before the ſheriff-court; and, in the exuberancy of thine own ſelf-conceit, thou waſt cock-ſure thou would knock his Excellency the Lord Lieutenant in the head. Victory being thus aſcertained in the cloſet, Jacob, big as bull-beef, hied him away to the town of Kirkwall with thy petition in his pocket, and there preſented it to the gentleman who had ſtrenuouſly fought as procurator for him in the proceſs before the ſheriff, not doubting but the gentleman procurator, who thou knoweſt is obnoxious to the Lord Lieutenant, tho' by far not ſo obnoxious as thou art thyſelf, would approve and highly applaud this thy wonderful performance. Poor Jacob, however, found himſelf miſtaken. The gentleman procurator was not ſo void of common ſenſe and good manners, but that he abſolutely condemned thy treatment of the ſheriff-depute, and ſeriouſly admoniſhed his client Jacob to expunge thy dirty inſinuation againſt the ſheriff out of thy ſtinking petition.

petition. Jacob nevertheleſs, ſtamped with the mark of the Beaſt, worſhipping to thy ſuperlative accompliſhments and underſtanding, bleſſed but with a very ſlender degree of diſcernment or diſcretion himſelf, and curſed with that ugly diſeaſe termed by the ancients the LUES AUREA, and by the moderns the MONEY POX ſacrificed to mammon, and forgetting that it was to the ſheriff-depute he owed his kirk and his ſtipend, and being kept from ſtubbling all his life long, which, but for the accident of his having been the ſheriff's preceptor, would, in all probability, have been the fate of the G——ſe *in æternum*. The good, primitive *grateful* Chriſtian Jacob was proof againſt the futile admonition of his procurator; he run off directly for Edinburgh, thy humble diſciple and devotee, with his faith pinned to thy *infallible* ſleeve, and preſented thy petition, thy filthy brat, with its naked *pudenda, puris naturalibus*, to the aſſembly of the Church of Scotland.

This thy ugly Sutrikin, Tom, however bare, deformed and fetid as it was, had yet moſt extraordinary good luck in the ſupreme court eccleſiaſtic. It procured an order upon the procurator and agent for the church to appear for Mr James Aliſon miniſter of Holm, and to defend and protect him on the public expence, againſt the cruelty and oppreſſion of the Lord Lieutenant of Orkney, which, without doubt, the aſſembly believed to be very grievous

grievous and well known, ſince that venerable body required no better proof of the charge, before they gave away the public money of the Church, than Tom the divine's *ipſe dixit*. But, Tom, that the general aſſembly, or any other body of men upon earth in ſober ſenſes, and having the caſe fairly repreſented, without concealing or diſguiſing the truth, would have honoured thy petition ſo much, or iſſued ſuch an order upon it, thou muſt give me leave to doubt of. And I will, by my *ſovereign power*, drub thee into a conviction, that as thy groſs indigeſted and ſinful labours for Mr William Nisbet and Mr Thomas Lyell, did them or thyſelf no good, ſo thy preſent labours for Mr James Aliſon tend only to expoſe thee to laughter, ridicule and diſgrace, without doing thy cully any ſervice. Thou fed William Nisbet and Thomas Lyell in the commiſſion of the ſins which moſt eaſily beſet them, and thou art now feeding James Aliſon in the commiſſion of thoſe which have got faſt hold of him, INGRATITUDE, and greed of filthy lucre.

And now, Tom, towards attaining the good end propoſed, of breaking the ſcab with which thy ſ---l as well as thy body ſeems to be cruſted, let me, as a preparative doſe, put immediately under thine eye, an extract which I have received under the hand of the clerk to the Church of Scotland, wherein thine own lye-faced and lying petition, the bungled and fal-

falſifying opinion of the procurator for the church, and the innocent and well-meant proceedings of the aſſembly upon that petition and opinion, are fully ingroſſed.

The Extract is as follows;

At Edinburgh the firſt day of June, One thouſand ſeven hundred and ſeventy one years.

WHich day the general aſſembly of the Church of Scotland called for the report of the committee named to conſider the applications for a ſhare of the public money, with the procurator's opinion on theſe applications; the ſame was given in and read, bearing, as to the petition for Mr James Aliſon miniſter at Holm, ſetting furth, That the petitioner's ſtipend conſiſts moſtly of malt payable by the tackſman of the biſhopric of Orkney; when this malt is cheap it is generally paid, when it is dear the *ipſum corpus* is as generally abſtracted. There are no fiars in Orkney to aſcertain the current prices, ſo that the medium on which the payment of miniſters ſtipends depends, is the arbitrary fiar of the factor of the biſhoprick. This fiar in dear years is generally *very low*, which is owing to the heavy feu duties on the vaſſals, to theſe vaſſals being freeholders whoſe intereſt is thereby ſecured, and to the mutual intereſt of the factor and the tenants; to all theſe intereſts that of the clergy has been conſtantly ſacri-

ficed,

ficed, insomuch, that in the year 1765, when the current prices of malt and bear meal were confessedly between eleven and twelve pounds Scots, the factor paid the clergy with four pounds ten pence, and six pounds Scots *per* meil, almost in equal proportion. This mode of payment the petitioner thought unjust and iniquious, and refused to submit to; in consequence of this, he applied to a brother who was *obnoxious* to the factor, because he was the first clergyman who dared to oppose his sovereign power. In concert with him he drew up an overture anent this affair to the synod of Orkney, which was *unanimously* approved of, and letters wrote in consequence of this approbation to the Lord Chief Baron Ord, and to Sir Laurence Dundas, seeking redress of this grievance. The petitioner gave in this overture without previously acquainting one, except the said brother, who told him, that such was the poverty and dependence of the ministers mostly concerned, and such, in consequence of these circumstances, was the influence of the factor, heritors and merchants concerned, that these brethren would act in opposition to their real interests and those of their brethren, if time was allowed to cajole or overawe them: The truth of this observation soon appeared, for although Mr Hepburn laid the overture before the procurator for the church, and though his favourable opinion was laid before the synod of Ork-

ney, *anno* 1770, yet ſuch was the overbearing influence of the factor and his friends, that a *majority* of that then ſynod voted to delete and eraſe the minutes of the former ſynod; tho' extracts had been given to ſeveral perſons. This ſtrange and unwarrantable proceeding encouraged the factor Mr Roſs, to raiſe a proceſs againſt the petitioner, before the ſheriff-court of Orkney, craving, *inter alia*, that the prices of the petitioner's ſtipend for crop and year 1765, might be aſcertained by a medium of the prices the defender had received for his ſtipend in kind every year ſince his admiſſion, the 1765 excepted. The petitioner can't ſee, and never heard of any rule in caſes of this kind, but the current price of the current year, which the Court of Seſſion decerned to the miniſter of Stromneſs, in the year 1756; and he pled, that neither he nor any clergyman in Orkney are in *pari caſu* with the heritors and tenants. The tackſman, Mr Roſs, has a very lucrative tack of the biſhoprick, by which he is enabled to pay the miniſters the higheſt current prices, and to ſecure very great profit to himſelf at the ſame time. But the ſheriff-depute is the principal heritor of Holm, *and has no doubt taſted the ſweets of a low fiar, and your petitioner was not much ſurpriſed at the following interlocutor or decreet, pronounced by his ſubſtitute:*

Kirkwall, 7th of March, 1771. The ſheriff-ſubſtitute having conſidered the libel, at the inſtance

inſtance of Andrew Roſs tackſman of the biſhoprick of Orkney, againſt Mr James Aliſon miniſter of the goſpel at Holm, with defences, anſwers, replies, duplies, and other writs in proceſs, and having had the ſheriff-depute's opinion thereupon, in reſpect of the almoſt total loſs and deſtruction of the crop of corns in the country of Orkney in the year 1765 libelled; by which means the tackſman of the biſhoprick had little or no victual delivered to him of that crop; therefore finds the purſuer not liable for the high price at which the victual that was brought from other countries, and ſold in Orkney the year 1766, becauſe of the loſs of the crop 1765; but finds him accountable to the defender for whatever price he paid for the victual that was made uſe of in his family, until the crop 1766 was cut down; and as to the remaining part of the defender's victual ſtipend that was unpaid the ſaid year 1765, *ordains the purſuer to account for it to the defender at the higheſt price for which he ſold his victual ſtipend at any time for ſeven years preceding the date hereof*, (*the ſaid crop and year* 1765 *excepted*,) and finds expences due to neither party, and decerns accordingly. (Signed) JOHN RIDDOCH.

Your petitioner thinks this ſentence unjuſt and contrary to all law and equity, it does not fix on a permanent medium, and leaves your petitioner and all his brethren at the mercileſs arbitrary will and pleaſure of the

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factor, or *Lord Lieutenant of theſe miſerable iſlands, who was educated in another communion.* He therefore intends to advocate the cauſe, in order to procure juſtice to himſelf and his brethren, the conduct of ſome of whom muſt be attributed to *their poverty, and not to their will.* The aſſembly will ſee the importance of this cauſe, and your petitioner prays the aſſembly to appoint their procurator and agent to carry it on before the Court of Seſſion at the expence of the public funds of the church. Your petitioner has already been at the expence of above ſeven pounds ſterling in this affair, and craves ſuch relief as to the wiſdom of the general aſſembly ſeems meet; and your petitioner ſhall ever pray.

Follows the procurator's opinion.

The procurator has read over and conſidered the whole proceedings in the proceſs mentioned in the above petition. The caſe ſhortly is: Andrew Roſs is tackſman of the biſhoprick of Orkney, by tack from the Barons of Exchequer; and, *inter alia*, burdened with the payment yearly of eighty ſix meils of malt to the petitioner, as his ſtipend by uſe and wont. In the year 1765, the malt gave a very high price, and the petitioner inſiſted for the uſual ſelling prices for ſeventy eight and a half meils not delivered in kind; but the tackſman would not allow of this demand except for ſo much as the petitioner had conſumed in his own family,

mily, as for the remainder of ſeventy eight and a half, the tackſman would not allow the price of the year 1765, but inſiſted for a medium price to be aſcertained by an average of the price of malt for any ſeven years during the petitioner's incumbency. This being refuſed as unjuſt and unreaſonable, the tackſman brought a proceſs before the ſheriff againſt the petitioner, to have the ſaid average ſtruck, and found to be the rule of payment, agreeable to the terms and above burden of his tack; *and the ſheriff-ſubſtitute found and decerned accordingly**. The tackſman in his anſwers to the petitioner's defences, and thereafter in a reply, has moſt wantonly poured out more ſcandalous, infamous and injurious language upon the petitioner and his order, than ever made its appearance in judicial proceedings, and without any notice or cenſure from the the ſheriff-ſubſtitute, when at the ſame time *the greateſt propriety and decency was obſerved by the petitioner*. It appears to the procurator that the judgment of the ſheriff-ſubſtitute is erroneous, and contrary to law: That it lays a precedent of pernicious conſequence to the miniſters of Orkney, of narrowing and leſſening their ſtipends when victual gives the higheſt and greateſt price, and will be made a handle to their great oppreſſion; therefore the procurator is humbly of opinion, that the agent

* This is a falſhood, *vide* the Sheriff's interlocutor.

agent of the church ſhould be appointed to apply for an advocation of the cauſe, and the procurator to appear as council in the ſame, and to bring it to a deciſion on the public expence of the church. (Signed)

DA. DALRYMPLE.

The committee are of opinion, that the deſire of the petition ſhould be granted, and the procurator's opinion followed furth. The general aſſembly agrees to the procurator's opinion, and to the opinion of the committee in this affair; and appoints the procurator and agent for the church to appear in this cauſe, in order to bring it to a deciſion on the public expence of the church.

Extracted from the records of aſſembly upon this and the ſeven preceeding pages, by

(Signed)

GEORGE WISHART, *Cl. Eccl Scot.*

If upon the firſt reading of this extract, Tom, thou ſhalt not happen to bluſh, I recommend to thee to read it a ſecond time with compoſure and attention, devoid of prejudice. If thou doſt ſo, and moreover deliberately conſiders what I have already ſaid, and am yet to ſay, thou mayeſt poſſibly come to wiſh thou hadſt never oppoſed the *ſovereign power* of the Lord Lieutenant; and that thy boundleſs moderation (toleration) had never induced thee to eſpouſe the cauſe either of

Willie

Willie Niſbet, or of Tom Lyell, or of Jacob Aliſon, whereby thou haſt ſo much defiled thyſelf. O Tom, Tom, Tom! thou art an unfortunate, unhappy being! Hadſt thou employed thy natural talents and thy learning aright, thou mightſt have been regarded and reſpected every where, and particularly in *the miſerable Orkney iſlands*: But thy flippant tongue, thy ſarcaſm and buffoonery, and thy delight and practice in calumny and detraction, frighted the clergy as well as the laity of Orkney from coming within gun-ſhot of thee, and the caſe will ſoon be the ſame with the good people of Athelnſtonford, if thou ſhall not change thy Orkney manners.

But now, Tom, to the petition, Doſt thou remember the old Scots proverb, *Honeſty is the beſt policy?* Thou wilt anſwer, thou doſt. Let me aſk thee then, Tom, why, when thou was ſetting furth to the aſſembly, that in the year 1765, the current price of malt and beer meal was confeſſedly between eleven and twelve pounds Scots, thou didſt not at the ſame time acknowledge, that this heavy price, a price near three times as high as malt has at a medium ſold for in Orkney in the utmoſt memory of man: Why didſt thou not, I ſay, acknowledge, that this very extraordinary price was occaſioned by dearth and famine, by an abſolute ſterility in the ground? Hadſt thou meant, Tom, to act fairly and honeſtly,

or hadſt thou had common policy, or a ſpark of ſound judgment, thou would never have concealed a fact ſo notorious, and ſo well known to thyſelf: The fact indeed upon which the whole merits of the cauſe, and conſequently the juſt and upright determination of the queſtion ſolely depend. Hadſt thou been but plain in this one ſingle point, the aſſembly would never have foſtered the avarice of thy pupil Aliſon, whom thou knoweſt to be the richeſt, and perhaps the leaſt deſerving clergyman in Orkney, nor would they have gratified thy rancour and malice againſt me, the chief thing which thou aimedſt at. In the light indeed which thou, Tom, in the depth of thy underſtanding made the aſſembly to view the cauſe, their judgment was juſt and equitable; thou kept them ignorant of Mr Aliſon's opulent circumſtances, thou complained for him that he could not beat the loſs of the monſtrous ſum of ſeven pounds ſterling; and thou concealed from the aſſembly that thy favourite pupil was graſping at making profit by means of a general famine, thou concealed, in ſhort, that he is juſt ſuch a wretch as is deſcribed in the following words: *Populus me ſibillat, at mihi plaudo, ſimul ac domi numinos contemplor in arca.* Thou haſt, Tom, groſly impoſed upon the general aſſembly, which although I was educated in *another communion*, and am a thorough-paced malignant, I have ſtill ſo good an opinion of,

as to believe, that had the cauſe been laid before them in its true circumſtances, they would have adviſed thy brother, inſtead of ordering his cauſe to be maintained on the public expence, to withdraw his petition, to be content with what his old pupil the ſheriff-depute had awarded to him, and not to affront the church of Scotland, by letting the world know that there was one preſbyter of his rotten kidney within the pales of it. Miniſters of the goſpel are beyond all doubt entitled to the higheſt current price in any ordinary year, or in any ordinary caſe: But, God forbid, there ſhould ever be an aſſembly of men ſo ſteeled againſt the common feelings of humanity, and ſo forgetful of the great command, *Whatſoever ye would that men ſhould do unto you, do ye even ſo to them*, as, in times of public calamity and diſtreſs, and when the earth does not yield her increaſe, would encourage or put it in the power of *bowelleſs*, covetous mortals (ſuch there are who ſerve at the altar) to enrich themſelves upon the ſpoils and ruin of their fellow-creatures. *When the judgments of the Lord are in the earth, the inhabitants of the world will learn righteouſneſs. But let favour be ſhewed to the wicked, yet will he not learn righteouſneſs: In the land of uprightneſs will he deal unjuſtly.* Thou muſt not be angry, Tom, at my quoting ſcripture, thou knoweſt I am no fonder than thou art thyſelf, *ludere cum ſacris*; the communion in which I

was educated ſet me a contrary leſſon, and I retain my leſſon to this day; I do not joke upon ſcripture, or upon religion, nor am I joking with thee. I mean to awaken thee out of thy folies, and if I ſhall ſucceed, (a hard task) then will I ſay, I have not a *feeble and unperforming hand*; I have made the Ethiopian to change his skin, and the leopard his ſpots. Unhappy man, doſt thou remember, that in the courſe of my endeavours, by the many letters I wrote thee in order to ſcare thee from cutting thine own throat, in covering and encouraging Mr William Niſbet and Mr Thomas Lyell in their daring and open wickedneſs? Doſt thou, I ſay, remember, that as often as I wrote thee to this purpoſe, thou as often in thy written anſwers, played away thy wit upon me in low ſatire, buffoonery and ridicule, and, deaf to my friendly counſels, felicitated thyſelf in the thoughts of what thou wouldſt atchieve in behalf of thy brethren by thy gigantic hand?

I am quite ſenſible, Tom, that upon a breach between two old acquaintances and companions, it is unmanly and injudicious to take recourſe for the termination of differences to letters paſſed between them in private confidence, *ſtante amicitia*; ſuch expoſure is ſeldom accompanied with credit to either of the parties. But, Tom, caſes ſometimes occur, that make the expoſure of ſuch letters not only lawful and conſiſtent with the gentleman, but likewiſe

wiſe abſolutely neceſſary in ſelf-defence. Haſt not thou, Tom, my *quondam* truſty Trojan, my friend, whom I took into my boſom when the people hooted at thee? Haſt not thou, what dæmon did poſſeſs thee, Tom? haſt not thou, in the face of the ſun, and of the ſons of God met together, *Satan ſtanding in the midſt of them*, pledged thyſelf to prove that I am a mercileſs raſcal, a capital villain? Haſt thou not (though very impotently and by the help only of an ill-couched bare-faced lie) endeavoured to defame a whole country by the lump? Haſt thou not ſaid that the ſheriff, the freeholders, the heritors, merchants and tenants of the miſerable Orkney iſlands are aſſociates with, or dupes to me in my iniquities, and that by that aſſociation, the intereſts of the poor dependent, witleſs Orkney clergy have been conſtantly ſacrificed to the intereſts of that raſcally tribe? Yes, Tom, thou haſt ſo ſaid, and thou haſt ſo pledged thyſelf. Thou haſt gone farther, Tom, thou haſt ſaid that thy brethren clergymen have denied the faith, and are worſe than Infidels. Haſt thou not put them in the ſhape and guiſe of fools and idiots? Haſt thou not ſaid, that they are men, not only neglecting to provide for themſelves and their families, but alſo men prone to oppoſe their own real intereſts, and eaſily cajoled or overawed out of their ſenſes, if time is allowed the Lord Lieutenant and his gang to practiſe upon their weakneſs? All theſe

things,

things, Tom, haſt thou done and ſaid, and for all theſe things, *abſit blaſphemia dictis*, will I bring thee into judgment, *flectere ſi nequeo, Thomam, Acheronta movebo.*

A digreſſion concerning madneſs, and the original, the uſe and improvement of it. As alſo, *Concerning the neceſſity of fibbing in the Hepburnian commonwealth.*

"Nor ſhall it any ways detract from the "juſt reputation of this famous ſect, that its "riſe and inſtitution are owing to ſuch an "author as I have deſcribed TOM to be; a "perſon whoſe intellectuals were overturned, "and his brain ſhaken out of its natural po-"ſition; which we commonly ſuppoſe to be "a diſtemper, and call by the name of "MADNESS OR PHRENZY."

O! Thoma, great is thy faith! far exceeding that of thy old reſpectable god-father; nothing would convince him but the touch or actual feeling and ſeeing; but thou requireſt no better evidence of the truth of things, than the workings of thine own brain, or the imaginations of thine own heart. Theſe informed thee that the Lord Lieutenant, the ſheriffs, the freeholders, the heritors, merchants and tenants of *the miſerable Orkney iſlands* were a pack of ſcoundrels and oppreſſive raſcals; and that all thy brethren, thine own dear Jamie excepted, were, as they are at this day,

day, if thy brain deceives thee not, a group of Infidels and ſtupid idiots. And convinced of this truth, thou, in the profundity of thy underſtanding, in the ſwellings and burnings of thy heart of fleſh, and in the overflowings of thy univerſal benevolence, and good-will to mankind in general, particularly to thoſe of the houſhold of faith, didſt ſwear in the midſt of thy juſt wrath and indignation, that thou wouldſt not only relieve thy oppreſſed idiotical brethren in ſpite of their own beards, and make every one of them as rich as Jacob the Jew; but that thou wouldſt alſo to the bargain, cut their oppreſſor, the Lord Lieutenant, into collops. For this glorious purpoſe didſt thou deſert the *communion in which thou waſt educated, and the moderation in which thou hadſt been engaged from thy earlieſt youth*, and turned a Papiſt of the higheſt claſs, a rank Jeſuit. Thou waſt perſuaded by thy unerring monitor, that the end propoſed being good, the means uſed to attain it, whether foul or fair, are always ſanctified: And that defamation, deceit, lying, detraction, calumny and ſlander, attended with profound ſecrecy, were the chief and proper inſtruments for executing thy buſineſs. And being accordingly furniſhed with a ſufficient ſtock of thoſe, thou didſt cover thyſelf and Jacob with darkneſs, and to work thou went. Thou applied thy inſtruments to the *naked fundament* of Jacob; and behold there was, by thy thumping

thumping and incubation, conceived, and preciſely at the end of the ninth hour, brought forth, a redemptor for thy brethren! a ripe, mature and lively male-child, a moſt beautiful cub, the perfect image of his own pappa, having in the lower jaw ſeven long, and in the upper ſix ſhorter tusks, for cracking the bones of the Lord Lieutenant. Thou, however, Thoma, wiſe as the ſerpent, and *ſurely* harmleſs as the dove, ſuſpecting that hadſt thou preſented the child for baptiſm to any one ſingle brother fool, he might have ſtarted, and calling thy lawfully begotten, a ſon of a whore, might have refuſed chriſtening, and alarmed the other fooliſh brethren; did therefore conceal that a redemptor was born, until thy going up into the temple of St Magnus, where the idiots were all met together; and there didſt thou, in the form of a miracle, preſent the child, and thou preſented him with effect; the beautiful countenance of the baby itſelf, the circumvolutions of thy lovely eyes, the muſic of thy ſweet flowing tongue, and the majeſty of thy gently waving right hand, STUNNED the whole aſſembly, except three irrecoverable idiots, J. Y. J. S. and G. D. into their right wits; and the innocent ſweet infant was received into the boſom of the church, and made a Chriſtian by the name of OVERTURE. But ſuch was the overbearing influence of that curſed hydra, that brow-beating, arbitrary, mercileſs, Jacobitiſh, *communionleſs*, Highland

ſon

ſon of a bitch, the Lord Lieutenant, that with a ſingle nod of one of his heads, and the ſhake of one of his tails, which are equally numerous with his heads, he brought every ſkin, every man and mother's ſon of the brethren, to whom thou hadſt communicated ſo much of thine *own wiſdom* and *underſtanding*, ſome time before, ſlap-daſh into their former ſtate of ſtupidity: And they, idiots as they were, forgetting like idiots what they had ſo very *quickly*, and with ſo very great *deliberation and ſolemnity*, done in their former aſſembly, all with one accord declared thy lawfully begotten child, thy darling and *dear-bought* ſon OVERTURE, an ill faced, ill looking, ugly baſtard, pulling at the ſame time the tuſks or grinders, with which he came into the world, out of his jaws by the very roots; in ſhort, they quite disfigured the lovely boy, and the idiots continue under their infatuation, glorying in their ſhame even unto this day, *notwithſtanding* they know of a certainty, that thou haſt in the upper houſe of aſſembly, by thy PERFORMING and not FEEBLE hand, got thy child, their redemptor, irreverſibly reſtored to his legitimacy; and haſt moreover deſtroyed and cut down their oppreſſor, the Lord Lieutenant, heads and tails, hands and feet, ſo as he can never riſe any more. O mighty and moſt powerful Thoma! O moſt potent, yea more than moſt potent Thoma! the deliverer of thy brethren, and the overthrower

thrower of tyrants; great and aſtoniſhing are thy works! Thou haſt proved in the upper aſſembly that thy beloved ſon OVERTURE was procreated upon the body of Mr James Aliſon miniſter of Holm. Thou haſt proved, that Mr James is the paſſive tender mother, and thou thyſelf the potent *healthy* father of the child. Thou haſt proved indeed more than any mortal man ever could prove before thy day. Thou haſt put upon thine own head a crown more brilliant than any that ever yet was formed by any *other*, the moſt ingenious and cunning ſavage, from the gaudieſt and moſt ſhining feathers of America, and thy feet ſtand upon the necks of thy Orkney enemies. Mayeſt thou long live, moſt illuſtrious Thoma, to procreate upon bodies male and female; whatever ſprings from thy *genitalia* muſt be ſound and wholeſome, muſt do honour to thyſelf, and good to mankind.

Thus endeth the digreſſion,

I have already, Tom, taken notice of the indiſcretion of expoſing letters written in confidence between two friends and companions, and I hope I ſhall never fall into that indiſcretion. I think myſelf, however, at full liberty to make public all and ſingular the epiſtles which paſſed in the courſe of eighteen months betwixt thee and me, concerning Willie and Tom, and concerning Peggy and Maggy,

Maggy, &c. Theſe epiſtles, Tom, thou knoweſt were wrote after thou hadſt *dared* to oppoſe my *ſovereign power* and *flagrante bello*: And if thou does not in thy anſwer to this my expoſtulatory epiſtle, *flexis genibus gigantis*, acknowledge and beg pardon for thy paſt miſdemeanours, ſolemnly promiſing a better behaviour hereafter, and that thou will give me no more trouble, then mayeſt thou depend on ſeeing all the afore-mentioned epiſtles *in printo*, with an explanatory appendix, by which the public, and particularly the general aſſembly will be ſatisfied, whether the *doup* of Tom the Divine, or that of the mercileſs Lord Lieutenant of the miſerable Orkney iſlands, is the blackeſt; and which of the two is the *unworthieſt* member of the Church of Scotland.

I ſhall now, Tom, conclude for this time, with putting thee in mind, that in thy anſwer to one of my moſt ſerious epiſtles, when Willie and Tom were in the field, thou gaveſt my friendly and well intended labours the name of *Crapple-mapple*, a diſh which thou ſaidſt thou did not like. The diſh which I now preſent thee with, Tom, is much of the ſame kind; and very poſſibly thou mayſt not get any part of it ſwallowed. However, as I have put into it ſo large a quantity of garlic and aſſafœtida, I hope the very ſmell of it will do thee ſo much good, as to deter thee in all time coming from writing petiti-

ons to the general aſſembly of the Church of Scotland.

Farewell ſo long, Thoma, I am
Thy ſovereign,
A. Rediviv.
Epiſcop. Loc. ten. et
Tyran. Orcaden.

oth March 1772.

P. S. The *Renegado* ſends you his kindeſt and moſt reſpectful compliments. He ſays, that how ſoon he ſees your epiſtles and mine in print, he will cauſe print your oath or depoſition in Tom Lyell's proceſs, as a maſter-piece in its kind. Be upon thy guard, Tom; remember thou haſt in thy petition for Jacob averred two things for truth, which are groſsly falſe, *viz.* That thy Overture was unanimouſly approved of in the ſynod 1769, and diſapproved of in the ſynod 1770, only by a MAJORITY, *Pudet hæc opprobria tibi et dici potuiſſe, et non potuiſſe refelli.* But thou, Tom, ſeemeſt to have a *whore's forehead, thou refuſeſt to be aſhamed.*

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